In the High Court of Judicature at Madras

Dated: 02.03.2007

Coram:

The Honourable Mr.Justice P.SATHASIVAM
and
The Honourable Mr.Justice N. PAUL VASANTHAKUMAR

Writ Appeal No.2410 of 2003
and WAMP.No.3612 of 2003

Lakshana Cottaon Spinning Mills Ltd.,
4/545 Maddampalayam
Bilichi Post
Coimbatore 19. ..Appellant

..vs..

1.Regional Provident Fund
Commissioner
Dr. Balasundaram Road
Coimbatore 641 018.

2.Assistant Provident Fund
Commissioner
(Special Damages Cell)
Office of the Provident Fund
Commissioner
Dr. Balasundaram Road
Coimbatore 641 018. ..Respondents

Writ Appeal is filed under Clause 15 of the Letters patent against the order of His Lordship Mr. Justice P.D. Dinakaran dated 07.07.2003 made in W.P.M.P.No.22485 of 2003 in W.P.No.18014 of 2003. (WP.18014/2004 praying to issue Writ of Certiorari to call for records of order of the 2nd respondent in proceedings No.TN/CBE/ENF/21038/CC13/03 dated 13.06.2003 pending disposal of WP.18014/2003 dated 13.06.2003 and quash the same)

For appellant : Mr. Vijay Narayanan,Sr.Counsel for R.Parthiban

For Respondents : Mr. V. Vibhishnan

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JUDGMENT

(Judgment of the Court was delivered by P.SATHASIVAM,J.)

It is not in dispute that in view of the decision of Full Bench in the case of Gowri Spinning Mills Ltd., represented by its Managing Director, Thokkampatti, Dharmapuri vs. Assistant Provident Fund Commissioner, Sub-Regional Office, Salem and another reported in 2006 (5) CTC 1, the present writ appeal is liable to be dismissed on the same terms; accordingly, dismissed. No costs. Consequently, connected WAMP., is also dismissed.

2. Taking note of the arrears amount payable by the appellant towards contribution and considering the grievance expressed, we grant six months time from today for payment of the said amount.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

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To

1.Regional Provident Fund
Commissioner
Dr. Balasundaram Road
Coimbatore 641 018.

2.Assistant Provident Fund
Commissioner
(Special Damages Cell)
Office of the Provident Fund
Commissioner
Dr. Balasundaram Road,Coimbatore 641 018.

1 cc To Mr.V.Vibhishanan Advocate, SR.12773.
1 cc To Mr.R.Parthiban, Advocate, SR.13260.

Writ Appeal No.2410/03

KJ(CO)
RVL 14.03.2007

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